

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/24/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JUAN HERNANDEZ,

Defendant.

1:23-cr-110-MKV

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

On April 7, 2025, the Court held a sentencing proceeding as to Defendant Juan Hernandez and thereafter entered a consent order of restitution, [ECF No. 467], an additional order of restitution, [ECF No. 468], and the final judgment [ECF No. 469]. Shortly thereafter, Defendant filed an appeal with respect to the final judgment. [ECF No. 473]. Subsequently, Defendant Hernandez retained new counsel and filed a letter regarding a motion for reconsideration, [ECF No. 489], with respect to the additional order of restitution entered by this Court and incorporated in the final judgment. Due to Defendant's pending appeal, [ECF No. 473], the Court explained that it was divested of the authority to consider such motion, and therefore, denied Defendant's letter regarding a motion for reconsideration without prejudice for lack of jurisdiction. [ECF No. 492]. In light of the Second Circuit's recent Order remanding this matter to allow the Court to consider and rule on Defendant's contemplated motion for reconsideration, [ECF No. 504], the Court will consider Defendant's contemplated motion to reconsider. Accordingly,

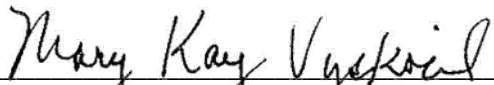
IT IS HEREBY ORDERED that on or before July 21, 2025, Defendant shall file a brief fully setting forth fully the arguments and legal authority in support of his motion for reconsideration. IT IS FURTHER ORDERED that on or before August 18, 2025, both the Government and Gilead Sciences, Inc., Gilead Sciences Ireland UC, and Gilead Sciences, LLC (together, "Gilead") shall file their responses to Defendant's motion.

Any request for an extension shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

The Clerk of Court respectfully is requested to terminate the letter motion pending at docket entries 429 and 505.

**SO ORDERED.**

**Date: June 24, 2025**  
**New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**